

#2

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORKLENNOX LONDON

FILED
IN CLERK'S OFFICE
U.S. DISTRICT COURT E.D.N.Y.
★ AUG 24 2020 ★
LONG ISLAND OFFICE

CV-20-3989

CIVIL RIGHTS COMPLAINT

42 U.S.C. § 1983

Plaintiff,

SEYBERT, J.

[Insert full name of plaintiff/prisoner]

TOMLINSON, M.J.

JURY DEMAND

YES ☒ NO ☐

ADA

D.A.

-against-

NASSAU County District Attorney's Office (Michelle Burke) (Madeline Singas)
First Squad Detective - 1st Precinct CIs Detectives (ADA-Nicole Aloise)
Gov. Andrew M. Cuomo 1st Precinct P.O. Officers

NASSAU County District Court / District Attorney's OfficeNASSAU County Court - Hon. Judge, Terence P. MurphyHon. Judge, Meryl J. BerkowitzDefendant(s). Legal Aid Society of Nassau County, Inc. - Nancy Garber

[Insert full name(s) of defendant(s). If you need additional space, please write "see attached" and insert a separate page with the full names of the additional defendants. The names listed above must be identical to those listed in Part I]

RECEIVED

AUG 26 2020

- I. **Parties:** (In item A below, place your name in the first blank and provide your present address and telephone number. Do the same for additional plaintiffs, if any.)

EDNY PRO SE OFFICE

A. Name of plaintiff

LENNOX LONDON

If you are incarcerated, provide the name of the facility and address:

NASSAU County Correctional Center100 CARMAN AVE, East Meadow, New York, 11554Prisoner ID Number: CC# 19004904 AND NCJ# 1505154

If you are not incarcerated, provide your current address:

Telephone Number:

B. List all defendants. You must provide the full names of each defendant and the addresses at which each defendant may be served. The defendants listed here must match the defendants named in the caption on page 1.

ADA D.A. ADA
Defendant No. 1 (Michelle Burke) (Madeline Singas) (Nicole Aloise).
Full Name
District Attorney, ADA of Nassau County.
Job Title
262 Old Country Rd. Mincola, New York,
11501.
Address

Defendant No. 2 See Attachment: First Squad Detectives And
Full Name
1st Precinct GIS Detectives / 1st Precinct P.O. officers
Job Title
Address

Defendant No. 3 Gov. Andrew M. Cuomo.
Full Name
Governor of New York State.
Job Title

The State Capitol.

Albany, NY, 12224-0341.
Address

Defendant No. 4

NASSAU County District Court / District
Full Name

Attorney's Office.
Job Title

99 Main St. Hempstead, New York,
11550.
Address

Defendant No. 5

Hon. Judge, Terence P. Murphy / Hon. Judge, Meryl J. Berkowitz
Full Name

NASSAU County Court, Judges.
Job Title

262 Old Country Rd. Mineola, New York,
11501.
Address

II. Statement of Claim:

(State briefly and concisely, the facts of your case. Include the date(s) of the event(s) alleged as well as the location where the events occurred. Include the names of each defendant and state how each person named was involved in the event you are claiming violated your rights. You need not give any legal arguments or cite to cases or statutes. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. You may use additional 8 ½ by 11 sheets of paper as necessary.)

Where did the events giving rise to your claim(s) occur? At 48 Bauer Ave, in Roosevelt, New York, 11575 in front of my house.

When did the events happen? (include approximate time and date) At 8:15^{AM} on 08/27/2019.

Facts: (what happened?) On 08/27/19, I went to my Doctor's Appointment at Numc, J-building to get A Refill of My Medication for my Mental illness, which is Serquel, I am diagnose with Bipolar Disorder, Schizoaffective Disorder and Psychosis, Depression Anxiety, Paranoia. I went because I Ran Out of My Medication 5 days ago, so he told me to Come in which I did. On my way back home, I was walking into my house I saw a Guy I had problems with that was trying to Kill me for months his Name is Mark Carmichael, he works for Roosevelt Middle School, which he is A janitor, Land-Spinner, the School is Right Next to my house, which is on Brier Ave. We was Arguing Over Tree branches he Thrown onto my Lawn, my house. I was walking into my house and he started to Shout at me saying all kind of Dirty words to me waving His Hands at me, so I could get his Attention going to his waste, like he got A gun, so I Panic and black out being so Scared and Terrified of him because he Shot at me before, he hates me, he said he Never Like me, so I shot to the Ground to Scare Him Away from me so on 08/27/19 in the Morning, Right after

Attachment →

II.A. Injuries. If you are claiming injuries as a result of the events you are complaining about, describe your injuries and state what medical treatment you required. Was medical treatment received?

I am diagnose with TB-Tuberculosis, Active Tb, A Infection that Attacks the Lungs AND I am Pre-Diabetic, the Medication I Take for it is Isoniazid and B6. I was taking it for 9 months. My Immune System is weak. I Have Breathing problems, Shortness of breath, Dry Coughing, Fever, Sneezing, Runny Nose, and Runny eyes and I get NO Treatment when I Told them About

Attachment →

III. Relief: State what relief you are seeking if you prevail on your complaint.

I am Seeking for My Indictment to be Dismissed and for me to be Released from Nassau County Correctional Facility because of Emotional Distress, Mental issues, Wrongdoing and Unprofessional behavior and Violation of my Constitutional Rights and Legally Insufficient Charges I was Charge with. And I am Seeking 3.5 Million Dollars for Damages Caused to me Mentally, Emotionally and Physically Distress. And I would like to get Justice and My Freedom Back, And Released on my Own Recognizance.

I declare under penalty of perjury that on 08/17/20^(date), I delivered this complaint to prison authorities at Nassau County Correctional Facility to be mailed to the United States District Court for the Eastern District of New York.
(name of prison)

I declare under penalty of perjury that the foregoing is true and correct.

Dated: 08/17/20

Lemuel London
Signature of Plaintiff

Nassau County Correctional Facility
Name of Prison Facility or Address if not incarcerated

100 Carman Ave, East Meadow, New York,
11554
Address

CC# 19004904 AND NJ# 1505154
Prisoner ID#

→ Defendant No. 2 Page 1 - See Attachment
PART 1:

* First Precinct P.O. officer - Andrew Mirenda - Shield # 0498.
Supervisor - Lt. Kevin C Driscoll # 7447.

First Squad Detective - 1st Precinct GIS Detective.
Det. Matthew Andros - Crime Scene - NCPD.
Det. Throo - 1st - NCPD.
Det. Michael Foranoe - NCPD / EMU.
Det. MAZZIE - Crime Scene - NCPD.

Defendant NO. 6

* NANCY CARBER.
Legal Aid Society of Nassau County, N.Y.
40 MAIN STREET, 3rd Floor.
Hempstead, NY, 11550.

Attachment For Injuries

Continue

11.A.

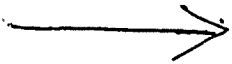
THIS I also Suffer with Mental Illness, I am Diagnose with Bipolar Disorder, Schizophrenia Disorder, Psychosis, Depression and Anxiety, Medication I Take is Seroquel my Meds got Increase because of all the Emotional Distress, pain and Suffering I am going through got worst, I Now take 300mg in the Morning and 300mg at bedtime, Night.

THIS Coronavirus my Mental Issues and what is going on in My Case got worst because of Fear stress, worry, Anxiety, Paranoia, Panic Emotional Distress I am Helpless and Scared I might Die in Jail. I'm Terrified and so Depressed because its Nothing I Could do for Myself and Family Due to the Covid-19, Virus pandemic My Mental Issues and My Court Case and me being Wrongfully Indicted and Charge this is A Violation of my Constitutional Rights.

My Mental Health Insanity I Suffer Economic damages, Pain and Suffering and Psychological Injury, by Reason of Discrimination, Negligence Recklessness and Carelessness of My Life being in Jail with Inadequate Health Care Failure to Accommodate and Medical Negligence/Neglect in the Jail.

THIS is Wrongdoing and UNprofessional behavior
~~caused~~ Caused by the Courts Judges

attachment →



ADA, DA and Nassau County Correctional Center
and the Medical Unit. I have Emotional Distress
I am So Sad Hurt, heart broken, Unhappy, Angry
and in Fear I might die from my Issues.

I am border Line Diabetic Pre-Diabetic + am on
High Dose of Mental Illness Medication 600mg A day.
And in my Court Case I am Not being Judge Fairly
and Truthfully and honestly.

I Also Suffer Enormous psychological and Mental Pain and
Severe Emotional Distress, and Major Depression and
Anxiety.

Respectfully!

Jennae London

CC#19004904

08/17/20

→ Attachment For Facts (What Happen)

Continue

- ① Coming from My Doctor's Appointment with my Psychiatrist I was Arrested. I was Charged with PL 110/125.25-1, Attempted Murder 2nd AND PL 265.03.01 B, Criminal Possession Weapon 2nd. I was Over Charged by the ADA Michelle Burke and P.O Andrew B. Mikenda when I should Not be Charge with, My Correct Charges was Attempted Assault the Crime Scene Stated No one was Injure or hurt or Assaulted None. And Criminal Possession of A weapon because they Said they Found A Gun in my basement of my House and The Crime Scene officers/Photographer CSR, Lied and Said I Assaulted Someone, Detective Andross, and Detective MAzzie, Charging me with Assault which is Legally Insufficient Charges, False, Incomet.

Then I went to the 1st precinct NCPD in Freeport, LI the Arrested me Lock me up on '08/27/19. they put me in the Interrogation Room. P.O Andrew Mikenda Shield #0498. Supervisor Lt. Kevin C Driscoll #7447. And Detective Andross, Detective MAzzie and Detective Michael Foranice and Detective THroo all Question and Pressure Harassed Me to talk and give A Statement and tell them What Happen Even thou I Told them I Need A Lawyer, I don't want to talk, I Said I Need A Lawyer the Never Read me My Rights they Keep Threatening me telling me, my Life is Over

→

②

I'm going to get 25 years in Prison I will Not See my Kids, the Start putting words in my Mouth. After me being in the Room for About a Few hours I Told them I don't know what Happen I blank Out blackout this Guy Mark Cornichael was after me for A few Months he Shot at me and Try to Kill me I was Scared and Terrified Cause of him. I Took his gun from him and he wanted it back, he hates me all because of tree branches and Apeeing.

Then after I Told them what Happen after being Pressured Scared, tired Drain Exhausted after A few hours in the Interrogation Arrest Room. Then the Read me my Rights and I still told them I Have Nothing to Say to you Guys, I Said I Need my Lawyer I Need my Lawyer they Ignored me and Continue Questioning me and P.O.

Andrew Miranda Lied on the Grand Jury Stand when the ADA Michelle Burke Ask him if he Read me my Rights before Questioning me he said yes, He Lied under Oath on the Stand he Never did he Committed Perjury he Never Stop Questioning me he Keep on going, he Violated my Memorandum Rights, he Violated my Constitutional Rights by Law. That's Perjury on the Grand Jury Stand under Oath.

And P.O Andrew Miranda #0498, OverCharge me with Attempted Murder, which I Never Committed and Criminal Possession of A weapon he Lied again on My Felony Complaint he Created and Charge me with these Legally Insufficient

→ Attachment of Facts. (What Happen.)
Continue.

- ③ Charges I Should Not be Charge With in the First Place that is Not my Original Charges the Crime Scene Charge Me with. No one was Injure hurt, Assaulted No Medial or hospital Records or Injuries took Place. No Proof of Attempted Murder there is no Element of Attempted Murder.

I went to my 1st Arraignment on 08/28/19 at Nassau County District Court in Hempstead, Ny, 11550, in front of a Judge and ADA and they give me a bail of 250,000 bond and Cash. which they should have never did in the 1st Place because of the Legally Insufficient Charges. I was Charge with PL 110/125.25.1, Attempted Murder 2nd and Criminal Possession of a Weapon 2nd Degree. PL 265.01⁷⁰⁵ B. False, Incorrect. because Evidence was Insufficient illegal no Proof of Attempted Murder. They Violated my Constitutional Rights Over Charging me and Sending me to Jail at Nassau County Correctional Facility with Insufficient Evidence for Charges I Never Commit.

Then After that I Had a 2nd Arraignment in Nassau County Court in Mineola, Ny, 11501, #262 Court House on September 24th 2019 at 9:00AM. My Lawyer at the time Nancy Garber Never Told me about the grand Jury. She WAVED my Right to Testify without me Knowing, I Have a Right to Appear before a grand Jury as a Witness on my Own behalf. IF A Grand Jury Convenes without giving me

→
 attachment

④ →

Legal Notice I Have Issues to Raise 30:30

The Dilligence Singer Motion also denied of Speedy Trial Right. I Never was Told about the grand Jury at all. The Indicted Me without Me knowing and the ADA, Michelle Burke at the time of my Arraignment on 09/24/19.

She Indicted Me with 15 Counts of Charges Over charging Me Legally Insufficient Charges and She give and Order Me a bail of 1 Million Dollars Bond and 2 Million Cash. She and Judge Berkowitz by the New bail Reform Law past in 2019 and took Effect on Jan 1st, 2020. My bail Should Not be that High by the New bail Reform Law.

Excessive Bail (17c) Bail that is unreasonably High considering the Risk that the Accused will Not appear for Trial. However the 8th Amendment Prohibits Excessive Bail.

Bail Clause (1951) Constitutional Law. The Provision in the 8th Amendment to the U.S Constitution prohibiting Excessive Bail.

Also the New Bail Reform State that no Bail Should be of Undue Hardship it shall be set in an Affordable Manner by Law. And they Never did that for me in my Case my bail is still the same and I Put in A writ of A State Habeas Corpus Application to Lower my bail and it is still the same.

And Det. Michael Foranose from the 1st Squad Detectives, 1st President Gis Detectives, NCPD/EMU.

Attachment →

→ Attachment for Facts (What Happen.)

continue

⑤

He Went to the grand Jury with illegal Evidence to Show Operability of the gun the said they found there were NO Ballistics presented when ask by the ADA, Michelle Burke, so it is illegal for Him and ADA and officers to Charge me for Criminal Possession of A weapon. They Can't prove that was the Weapon used at the Scene that was shot to the ground floor.

Operability is A Required Element of the Crime of Criminal Possession of A Hand Gun.

There were NO Ballistics Evidence presented as to Operability of Loaded Firearm in the Grand Jury.

Prosecutors Information Charging me with Attempted - Murder and Criminal Possession of a Weapon in 2nd Degree Should be Subject to Dismissal on ground that Evidence before grand Jury was illegally INSUFFICIENT.

My Indictment Should be Dismissed Due to Prosecutors Failing to Turn Over Exculpatory Evidence the Proxentor is Obligated to Disclose Exculpatory Evidence to the grand - Jury when SHe (ADA) Michelle Burke, Had it and Failed to do that.

So I'm asking to get the whole Case, Thrown Out, Dismiss off of that.

I'm Challenging the Judge's Ruling that the grand Jury Minutes were deemed Legally Sufficient without the Proper Elements of the Charge.

Attachment - Continue

⑥

How and what Evidence the grand Jury Instruction used to Sustain A Charge of Attempted Murder when NO One was Injured.

The Initial Charge are Attempted Assault Neither of the (2) two Charges Constitutes Attempted Murder.

Reckless Endangerment the Criminal offense of putting Another Person at Substantial Risk of Death or Serious Injury, which I did Not do.

DD Report Stated you fired Shots at the 2 Subjects.

① How Can it be determined that you were Aiming directly at them ② Who Can Contest that you say you were, or was Shooting at the ground. ③ or shooting in the direction to Scare them. ④ The Same Examination Report States Attempted - Assault. ⑤ IF you Attempted to Assault Somebody how Can you determined IF you Meant or Meant to Kill them or Not.

⑥ AN ASSAULT Can be a Slap in the face with a handgun it Considered a deadly Weapon and Somebody was Hit that don't Make it Attempted Murder. it would be Assault 1st.

And in my Indictment the Prosecutor (Michelle Burke) Overcharge me with Multiplications and Duplication Counts, over Charge me with the Number of Counts for a Single offense which Should be dismiss. which is illegal giving me 15 Count Indictment I Should Never have or gotten. she Violated My Constitutional Rights.

This is all Wrongdoing and UNprofessional behavior by all of these Defendants.

⑦

→ Attachment For Facts (What Happen) continue

The 6th Amendment guarantee me the Right to a Speedy Trial that a Constitutional Right and Gov. Cuomo have No Legal Right to take my Rights away that's given by the Constitution and NY state Constitution by Over writing the Constitution when he Suspended CPL-30.30, 240, the Speedy Trial Rights and the Automatic Discharge File. I Have Rights that Cannot be Infringed upon and when Gov. Cuomo Suspended Criminal Procedure Law he Violated, Due Process of Law the 14th Amendment.

They Abuse the Power of the government when they Knowingly Deliberately and Recklessly with Premeditated thoughts Deprived People of the Right to Effectively Challenge the Case and Charges against them. The Wisconsin Gov. Tony Evers Tried to Over write the Voting laws and the us Supreme Court said he Could Not do that it Violated People Constitutional Rights. The Bill of Rights define Everything in Criminal Procedure Law. You had 2 Presidents that tried to Deprive people of their Constitutional Rights Abraham Lincoln during the Civil War and Bush when he had the People (Terrorist) at Guantanamo Bay for years without going to Court Proceeding. Because Bush took the writ of Habeas Corpus away from them to Challenge the Detention for the 9/11 Situation the Combatant Tribunal Rule Art 1, 39, Not right to Hold

→ Attachment

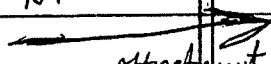
⑧

Then people like they been holding me, regards of this Pandemic (Covid-19) its Not part of Exigent Circumstance in 30:30 (4)(g) only witnesses and Material evidence delay of some sort is Exigent and Exceptable.

They Can't use the (Virus) to Suspend my Right or im Not going for it. The Highest Court in the Nation Says they Can't do that I Read it in the News papers it said: I'm Sorry but you have No Constitutional Right to Vote by Mail.

You have No Constitutional Right to Vote six (6) days after an Election is Over Nor do you have any Right to Censor Information Related to an election. Not Even during a Pandemic. This Week the Supreme Court Ruled that Lower Federal Court Couldnt Over write Wisconsin election laws and Force the State to Accept ballots without any Postmark Deadline Nearly a Week after election. Like Wise the Wisconsin Supreme Court Ruled that Gov. Tony Evers didnt have the Authority to Arbitrarily Suspend in-Person Voting (another thing he said) but the Court doesnt Exist to Fix your Local government Incompetence or Make Life Safer.

It Exists to uphold the Constitution Now when they say make life Safer they talking about the Pandemic they duty is to uphold the Constitution at all Cost. Thats why I say they Can't Suspend the 30:30 or 240 that's Constitutional Amendment and Statues but thats what the State Tryna do as you Read Gov. Evers didnt


 attachment

⑨

→ Attachment for Facts. (What Happen)

continue

Have the Authority to Suspend a Constitutional Right
Something Apply to Andrew Gov. Cuomo, Its in black and
white from Wisconsin Supreme Court and the
U.S Supreme Court. Cuomo Violated my 6th, 8th, 9th and 14th
Amendments.

Also IF they would've Released Me According to the
30:30-Time Line they would have been in good Standing
but they Choose to Deprive Me of My Constitutional Rights.

IF they would've Released Me by dropping the Charges
they got 5 yrs to Indict again.

IN the Process of Closing the Courts down the
District Attorneys Association Proposed to Gov. Andrew Cuomo
to Suspend Criminal Procedure Law Timeline for
CPL 30:30 and 240.10-20 for Pre-Trial detainees because
of the Inability of the people to go Forward with Criminal
Proceeding in the Manner Prior to the Pandemic.

Instead of Utilizing the Required Legal Methods to Safe
guard the Constitution Rights of Pre-Trial detainees as
Prescribed in the U.S Constitution and New York Constitution
Due Process of Law that gives Petitioner the Constitutional
right to CPL-30:30 and 240 statute 6th & 14th Amends,
U.S.C.A and NY Const. Art 1 § 6 and 12.

The Wanton Misconduct displayed by the government
of New York are unconstitutional and

→ attachment

continue

⑩ UNacceptable even during A Pandemic.

The Language of the Law in the U.S Constitution and New York Constitution is Written and Gov. Andrew Cuomo Lack Legal Authorization and the legal Standing to Overwrite what has been Written for many years decades and Centuries To Overwrite the Constitution is an Unconstitutional Act that Separate the Powers of the Legislative body from the Executive body to help the Judicial body in Wrong doing by taking the Constitutional Rights of Pre-Trial detainees.

The Actions taken by the District Attorney's Association and Gov. Andrew Cuomo Suspending Criminal Procedure Law Timelines Violates Petitions 5th 6th 8th 9th and 14th Amendments.

Time Line 30.30 (1)(A).

From the date when the defendant (me) was Arraigned on 08/28/19 till the Month of July 2020, Constitutes a Time Period of 320 days a period well in Excess of Six (6) months. Its Obvious that the People are NOT Ready for Trial and Were NOT Ready for Trial within Six (6) months from 08/28/19.

CPL 30.30(1)(A) 320 days is Sufficient to Acknowledge Judicial Review for (6th) Amendment Trial Violation, CPL 30.30(1)(A) and where this threshold period of delay

Attachment

②

→ Attachment For Facts (What Happen) continue

is Exceeded defendant Need Not Show Actual Prejudice as Excessive delay presumptively Compromises Reliability of Trial and this presumption Increases in Importance with Length of delay. U.S. CA Court. Amend. 6 '45 V Gutierrez, 89 F. Supp. 97, 12 F.3d, 506.

The distinction is based Essentially on the Theory that the Speedy Trial guarantee was designed primarily to prevent Undue and Oppressive Incarceration prior to the Trial to Minimize Anxiety and Accompany public Accusation (United States V Marion, Supra 404, U.S.P. 320, 92 S. Ct at P. 463 - See Also United States V Lavasco Supra.) The Supreme Court Recognized of Course that any delay bringing the defendant to Trial May impair his Right to a Fair Trial. People V Singer, 44, N.Y. 2d, 241, 254, 405, Nys, 2d 17, 376 NE, 2d 179.

The Right to A Speedy Trial is guaranteed by the 6th Amendment of the United States Constitution and it is Enforced against the States under the 14th Amendment Graham V Brooks. D. Del 2004, 342 F. Supp. 2d, 256 people V Tarasovich 313, N.Y.S. 2d, 79 31, Nys, 2d, 445.

Supreme Court in Barker Explained that Prejudice Should be Assessed in the light of the interests the Speedy Trial Rights was designed to Protect: (1) to Prevent

→ attachment

continue

→

⑫ Oppressive Pre-Trial Incarceration ② to Minimize Anxiety and Concern of the Accused and ③ to Limit the Possibility that the defense will be Impaired. Barker 407 U.S. at 532, 92 S.Ct. at 2193.

Defendant was Indicted September 9th 2019 and was Arraigned on Sept 24th 2019 after being initially Indicted 08/28/19 a Reindictment was done on September 9th 2019. In that case the defendant has been a victim of A Massive delay between Arrest and Trial Caused Prosecution to fall under Prima Facie Cloud of Violation of defendants Constitutional Rights of Speedy Trial. U.S. V Cooper, C.A.D.C 1974, 504, F.2d 260 164, U.S App D.C 191. U.S V West, C.A.D.C 1974, 504, F.2d 253, 164 U.S App D.C 184. U.S V Teylbo, S.D. Ny. 1995, 887 F Supp. 846, Affirmed 101 F.3d, 681.

The Mechanism in which Protects an Accused Person's Constitutional Rights "Criminal Procedure Law" Cannot be Taken away or Misused to Justify an Unacceptable Act With No Regards to A Person's Personal Constitutional Right to Exercise the 14th Amendment due process Right to A Speedy Trial governed by the 6th Amendment and the Automatic Disclosure File.

Both CR 240 and 30.30 are Critical Stages of the Criminal Procedures the defendant have the Right to Effective Assistance of Counsel as governed by the 6th, 14th Amendments

→
attachment

(13)

→ Attachment for Facts (What Happen)
continue

To the United States Constitution. However at the time of the Suspension of CPL-240 30.30 the procedure was done without the Presence of defendants Counsel 6th Amendment U.S.C.A.

It is Well establish that New York Government Overstepped the boundaries instead of Making decisions to uphold the Constitution.

The U.S Supreme Court Ruled Against A Lower Federal Court that the Court Could'nt Overwrite Wisconsin's election Law. Wisconsin's Supreme Court Ruled that Gov. Tony Evers did'nt have the Authority to Arbitrarily Suspend in Person Voting that is big for an Unconstitutional Act Just as Gov. Andrew Cuomo who Suspend the CPL 240 and 30.30 Gov. Andrew Cuomo don't have A Right to Change New Yorks Criminal Procedure Law Nor the Constitution.

The District Attorney's Association was well Aware that it would be our Inability to go Forward with Criminal Procedure Law in the Manner that the People Normally proceeded Instead of Following Procedures to fix bail or Release Pre-Trial detainees the People Made A Very Critical decision to Violates the Constitutional Right of Detainees to Leave them in an Oppressive Incarcerated Setting that Violates Due Process and is also Cruel and Unusual punishment.

→ Attachment

Continue

(14)

8th Amendment 14th USCA Art. I § 12 NY Const.

The Premeditated Abuse of Power generated Malice on behalf of Malfeasance from the District Attorney Association and Gov. Andrew Cuomo's Wanton Misconduct a Malicious Abuse of Legal Process the great Founders would Stun and Frown upon in disgrace at the Unethical Jurisprudence that defy the essence of the United States Constitution when both Parties Consciously deprived persons of their Constitutional Rights USCA.

During the Civil War President Lincoln Suspended the Right of Habeas Corpus as well as President Bush during September 11th 2001.

Boumediene v Bush (U.S. Sup. Ct. 2008.) And the Supreme Court declared the Policy used to be Invalid because of the Rights MANIPULATED by the United States Constitution.

The Covid-19 Pandemic is Not an Exceptional Circumstance to be used to Justify Suspending Criminal Procedure Law. CPL-30-30 (4)(g) do NOT list a Pandemic as an Exceptional Circumstance and to INNOVATE Criminal Procedure Law would be a Miscarriage of Justice by Allowing the State Government Leeway to take on a Renegade Approach with Lawless Conduct to do as it Pleases in total disregard of the Constitution the Rights given by the Constitution and the States put in Place that are Calibrated by the Constitution 6th 9th 14th USCA For Liberty and Justice for all

attachment.

15

Attachment For Facts (What happen)
continue

In Regards to the Covid-19, Pandemic, there are Underlined Medical Conditions that are Vulnerable to the Attack of the Coronavirus. One of the Underlined Conditions are Hepatitis B, Tuberculosis, TB Lung Infection and Pre-Diabetic A Condition that Plaintiff has but was Consciously disregarded by the Honorable Judge Terence P. Murphy and Assistant District Attorney Nicole Aloise.

Plaintiff with Attorney Donna Grossblatt went before the Court Seeking a Compassionate Release due to Plaintiff's Medical Conditions.

However both Hon. Judge Terence P. Murphy and ADA Nicole Aloise stated that Plaintiff was SAFER in the Nassau County Correctional Center A Jail that Had and have now Countless Cases of the Coronavirus by both staff and Inmates populations.

And they Medication I take for my Medical Issues is Isonized 50 mg (1) A day and B6 (1) once A day for 9 months in the Jail for my TB, Lung Infection, Hepatitis B.

Hon. Judge, Terence P. Murphy and ADA Nicole Aloise put themselves in the place of Medical physicians putting Plaintiff's life at risk by knowingly Making A decision that was against Top Medical physicians that instructed DOC and Jails to Release underlined detainees with the illnesses that was Vulnerable to the Virus.

Continue

→

(16) Attorney DANA Grossblatt entered Multiple pages of my Medical Records of Plaintiff having TB, Hepatitis B Lung Infection from 2019 to 2020, when I was on the Outside at home and when I came to Jail I was being Treated for ADA Nicole Aloise Acknowledge that Plaintiff had an Underlined Condition but stated if Plaintiff was diagnosed as Asthmatic that it would be A Concern but ADA, Aloise, Said being Plaintiff was Not AS Sick, that he would be better off in Jail. ADA Aloise and Hon. Judge Terence P. Murphy displayed More Concerns on Plaintiff Not being Released Insinuating that Plaintiff would Not Return back to Court Although Plaintiff has Family in the State of New York for years, even putting my Address to where Plaintiff would Lodged.

Judge Terence P. Murphy and ADA, Nicole Aloise, at that Moment Put Plaintiff's Life at Risk Knowingly and deliberately by Failing to Adhere to Medical Regulations Sanctioned by Top Medical Staff, DOC, CHs and CDC.

Hon. Judge, Murphy Rendered A Decision to Keep Plaintiff Incarcerated but Authorized the Medical Records from Nassau County Correctional Center, Nu Health, NFAHC and Nunc which I did and he got and the ADA, and my Attorney and the Courts showing Proof of my illness and Condition.

Hon. Judge Terence P. Murphy as Well Place Plaintiff Life at Risk Aware of Plaintiff's Medical Conditions

Attachment →

(17)

→ (Attachment for Facts) (What Happen.)

Continue.

by Not Releasing Him from A Place (Jail) That's Hard to enforce Social distance Where as A symptomatic staff and Inmates that Contracted the Virus are being Place back around the Inmate Population as the Virus Can still be Spread Due to LACK of A Virus Vaccine for Covid-19.

Judge Terence P. Murphy during my Court Conference in 2020 ASK Attorney DANA Grossblatt Was She Adopting the Motion to Dismiss My Indictment Filed by Plaintiff. Attorney DANA Grossblatt Stated "NO I'm Not adopting it, ADA Nicole Abisic Stated the people's Readiness for Trial."

Attorney DANA Grossblatt and Nancy Garber at the time Knowingly disregarded his Client's best interest blatantly protecting the Best interest of the People by the Incompetent Decisions on behalf of Plaintiffs (6th Amendment Right to Effective Assistance of Counsel Extending his guiding hand at Critical Stages.

It is MANDATED in the 6th Amendment that all Defendants in all Criminal Proceedings are allowed and shall Enjoy the Right to a Speedy Trial and Public Trial. CPL § 30.30(A) was One of the Statutes under the Speedy Trial Right that gives A Person his Liberty when the People are passed the Statutory Timeline on having the Case Finalized.

→ attachment

Continue

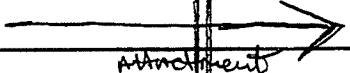
(18)

The District Attorney Association Aware of the Inability to go Forward in a Timely Manner Fail to Apply an Adequate Remedy that would Not encroach on Pre-Trial detainees Constitutional Rights and Liberty.

By deliberately Suspending the Timelines on both Cr § 30.30, 240th Was an Encroachment on Pre-Trial detainees with the Intentions on Leaving Pre-Trial detainees in an Oppressive Incarcerated Condition during the Pandemic Consciously depriving detainees of their Liberty with NO Way of Accessing the Courts Violating Pre-Trial detainees Due process Right. The Method Unconstitutionally Use Was Cruel and Unusual Punishment depriving The Due Process Rights of Pre-Trial detainees, the equal Protection of the Law.

In Addition to the District Attorney's Association and Governor Andrew M. Cuomo Suspending Speedy-Trial and disclosure Timelines, the Timeline that Pre-Trial detainees Were Incarcerated that Time Was also Suspended by the government in which the Time Would Not be Counted against the People Nor Would Pre-Trial detainees be Credited for it.

Government officials Conscious of The damage that the Suspension of the Speedy Trial and Disclosure Timelines would have on Pre-Trial detainees Liberty deliberately took Away Legal Avenues for the Release of Pre-Trial Detainees


 attachment

→ (Attachment For Facts) (What Happen.)

(19)

Continue

IN total disregard of Adequate Due Process of Law.
However the People's Inability to go forward failed to
Baleone, instead took an UNConstitutional ACT Knowingly
Encroaching on Pre-Trial detainees Liberty and Due process.

As Pre-Trial detainees's Plaintiff has been denied the Right
to effectively Prepare a defense for his Case at hand by being
deprived of Counsel Access to the Law Library to study
preparation, the Filing of Motions etc.

March 13, 2020 Gov. Andrew M. Cuomo declared a State of
Emergency when the Covid-19 Pandemic Hit the state of
New York.

The District Attorney's Association Proposed to Gov. Andrew
Cuomo that he Suspend Pre-Trial detainees Cfr-30.30 and
240.

I Had A Hearing Video Conference which was Conducted
Via Zoom on May 11th 2020. at the Jail in the Law
Library at Time 10:35^{AM} to 10:50^{AM} about a 3rd
Reassignment of Counsel I Filed to Remove / Dismiss
DANA Crossblatt from my Case because of INSUFFICIENT of
Counsel Ineffective of Counsel and Conflict of Interest
With Judge Terence P. Murphy ADA Nicole Abiose and
DANA Crossblatt Attorney, the Judge Said

Attachment →

continue

② He don't believe what I said About JANA So he Rejected My Motion for the 2nd Time I Tried to Fixed her off of My Case He Rejected my Motion and he said he is Not Removing her from my Case.

So I said to him on the Video Via zoom that what he is doing is illegal and wrong and the ADA Nicole Aloise it is Insufficient my Charges, My Excessive bail them Not telling me about the grand Jury when I wanted to Testify. etc. He said on the Record to Sue Him Judge Murphy he said IF I don't like what he is doing I must put in a Civil Law-suit against Him this is what Judge Terence P. Murphy told me.

You could get the Minutes from the Stenographic Transcript for that day May 11th 2020. And you will hear what Judge Murphy said on the Record. That is A Violation of My Constitutional Rights.

And my Grand Jury Minutes was legally Insufficient because of the Evidence and Charges against Me. The Indictment was Insufficient also.

But Judge Murphy and ADA Nicole Aloise Lied and Cover-up and said that the Courts and them Inspect the grand Jury Minutes CPL 210.30, 210.35, 190.25 (b) and said in Camera and finds that it is Not Necessary to Release the Minutes or any portion thereof the defendant's Attorney to Assist the Court in Making its determination CPL-210.30 (3).

summed

→ (Attachment for Facts) (what Happen)
continue

(21) Again they Lied and Said this Court upon Inspection of the Minutes this Court finds that the Evidence before the grand Jury was Legally Sufficient to Establish the Crimes Charged in the Indictment which is Incorrect, false, Not-true it is Actually Legally Insufficient.

And They Said the grand Jury Proceeding was Not defective, which is Not True it is illegal and Insufficient.

They Also Lied and Said finally, the Courts Finds the Indictment Conforms to the Requirements of CPL-200.50 and these are No grounds upon which to Dismiss the Indictment which is False, Incorrect, Not True, Insufficient. This is Prejudice.
This is A Violation of my Constitutional Rights.

IN Light of the Foregoing, Petitioner (Lennor Lonzon) ask in the Interest of Justice that my Indictment Be Dismissed with Prejudice and Petitioner ~~be~~ be Released based on the factual allegations and Constitutional Violations that Deprived the Petitioner of the Process to Exercise His Constitutional Right to Effectively Challenge the Charges against Him during Pre-Trial Detention on Account of the Peoples inability to Proceed with guidelines proscribed by Criminal Procedure Law the People Consciously deliberately with

(22)

Continue:FILED
IN CLERK'S OFFICE
U.S. DISTRICT COURT E.D.N.Y.

★ AUG 24 2020 ★

BROOKLYN OFFICE

Beckles disregards of the Constitutional Rights and Statutes that protect the best interest of United States Citizens and the integrity of Criminal Jurisprudence.

Petitioner Rest the U.S Constitution and NY State Constitution the 14th Amendment and to Violated the 14th Amendment is prohibited in the States.

Once due Process is Violated the people must divest themselves of Jurisdiction Over the person of the Petitioner.

It is an Open Miscarriage of Justice that has been Committed and in the interest of Sound Justice Petitioner (Lennox London) Should be Released because of the Constitutional Violation at hand.

Respectfully Submitted.
Lennox London

CC# 19004904

08/17/20.

Mr. LENNIX LONDON
C.C.# 19001107
Location E-2 D1
100 CARMAN AVENUE
EAST MEADOW, NEW YORK 11554-1146

To: United States District Court.

Eastern District of New York.

275 Cadman Plaza East, Brooklyn, NY, 11201.

Attention: Pro Se Office

FILED
IN CLERK'S OFFICE
U.S. DISTRICT COURT E.D.N.Y.
★ AUG 24 2020 ★
BROOKLYN OFFICE

